

REMARKS

The Official Action mailed April 25, 2005, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to August 25, 2005. Accordingly, the Applicant respectfully submits that this response is being timely filed.

Initially, Examiner Psitos is thanked for taking the time to talk about the present application in a telephone conversation with the Applicant's representative on August 25, 2005. It was agreed that the Applicant's representative would contact Examiner Psitos on September 12, 2005, in order to schedule an interview at a mutually agreeable time.

The Applicant notes with appreciation the consideration of the Information Disclosure Statement filed on January 6, 2000, August 11, 2003, and November 25, 2003.

Claims 1-7 are pending in the present application, of which claims 1, 4 and 7 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 1 of the Official Action rejects claims 1-7 under 35 U.S.C. § 112, first paragraph, asserting that the claims contain subject matter, "which was not described in the specification in such a way as to enable one skilled in the art ... to make and/or use the invention" (page 2, Paper No. 20050420). Specifically, the Official Action asserts that "the second key ... is not clearly shown in any figures, but is noted in figure 2 at step 56" and that "music signal having already been recorded on the recording medium is not present" (Id.). It appears that there is some confusion as to support in the specification for the first, second and third keys. Also, in the *Amendment* filed April 25, 2003, the Applicant inadvertently misidentified the first key 4A and the third key 4C. Also, the Applicant did not identify additional support for second key 4B.

In order to clarify the features of the present invention with respect to the claims and drawings, the Applicant has amended the specification to clarify that a first key 4A

may be a capturing key, a second key 4B may be a title input key or numeral keys, and a third key 4C may be a received text information call key.

In order to facilitate understanding of the present invention, the Applicant herein provides examples from the specification of each feature of independent claim 1, as follows:

A title input device (e.g. Figure 1) for a recording medium (e.g. MD-MO 11), comprising a receiving tuner (e.g. tuner unit 1) that receives text broadcasting and outputs received text information, a display (e.g. text display 6) that displays the received text information output from the receiving tuner, a first system controller (e.g. 7) that stores the received text information in a capturing buffer region (e.g. 5B) when a first key (e.g. capturing key 4A; page 17, line 16; page 18, line 16; page 25, line 14; page 30, line 7; and page 44, line 10) instructs to selectively capture the received text information, a second key (e.g. title input key 4B; page 17, line 17; page 18, line 25; page 19, line 24; page 32, line 16; and page 41, line 11; or numeral keys 4B, page 33, line 12; and page 37, line 23) that selects a target unit of the recording medium to input a title, a music signal having already been recorded on the recording medium (e.g. page 23, lines 12-16), a third key (e.g. received text information call key 4C; page 17, line 25; page 19, lines 9 and 10; page 34, line 21; page 38, line 17; and page 44, line 18) that instructs to call desired received text information from the capturing buffer region, and a second system controller (e.g. 17) that reads the desired received text information instructed to be called by the third key from the received text information stored in the capturing region buffer and records the desired received text information in the recording medium as a title name of the target unit selected by the second key, in response to operations of the third key and the second key.

Similar features in independent claims 4 and 7 may be identified and better understood by referring to the exemplary description provided above.

Accordingly, the Applicant respectfully submits that each of the features of the independent claims are fully supported and enabled by the present specification,

particularly the first, second and third keys. Also, the feature of a "music signal having already been recorded on the recording medium" is clearly supported in the present specification (e.g. page 23, lines 5-16).

Therefore, the Applicant respectfully submits that claims 1-7 are adequately described in and enabled by the specification. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 112 are in order and respectfully requested.

Paragraph 2 of the Official Action rejects claims 1, 4 and 7 as obvious based on the combination of U.S. Patent No. 5,862,104 to Matsumoto and U.S. Patent No. 6,091,884 to Yuen et al. Paragraph 3 of the Official Action rejects claims 2, 3, 5 and 6 as obvious based on the combination of Matsumoto, Yuen, JP 03-233670 to Tanosaki and JP 09-146528 to Aida et al. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5

USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims.

As noted in detail above, the present invention is, for example, directed to a title input device for a recording medium (e.g. 11), comprising a receiving tuner (e.g. 1) that receives text broadcasting and outputs received text information, a display (e.g. 6) that displays the received text information output from the receiving tuner, a first system controller (e.g. 7) that stores the received text information in a capturing buffer region (e.g. 5B) when a first key (e.g. 4A) instructs to selectively capture the received text information, a second key (e.g. 4B) that selects a target unit of the recording medium to input a title, a music signal having already been recorded on the recording medium, a third key (e.g. 4C) that instructs to call desired received text information from the capturing buffer region, and a second system controller (e.g. 17) that reads the desired received text information instructed to be called by the third key from the received text information stored in the capturing region buffer and records the desired received text information in the recording medium as a title name of the target unit selected by the second key, in response to operations of the third key and the second key.

That is, the present invention is directed to a device and method for capturing received text information, selecting a target unit of a recording medium that already contains a music signal recorded on the recording medium, calling received text information, and reading and recording the text information in the recording medium. The present invention solves a problem of conventional MD players, where "it is required to enter each character correctly by using character [keys] in order to enter a desired disk title name or a track title name" which is "very cumbersome." Specific examples of problems with the prior art method are described in the specification at pages 1-6. The present invention overcomes this problem by capturing received text information (pages 23-30), selecting a target unit of a recording medium that already

contains a music signal recorded on the recording medium (pages 31-32), calling received text information (pages 32-37), and reading and recording the text information in the recording medium (pages 37-45). In summary, the present invention is directed to a device for receiving, selectively capturing (first key), selecting a target unit (second key) and calling and recording text information to a recording medium (third key), where music is already recorded on the recording medium.

Regarding independent claim 1, Matsumoto and Yuen do not teach or suggest first, second and third keys (and the corresponding functions of these keys) as defined in the claim. Regarding independent claim 4, Matsumoto and Yuen do not teach or suggest first and second keys (and the functions of these keys) and a first system controller with a call function as defined in the claim. Regarding independent claim 7, Matsumoto and Yuen do not teach or suggest the steps of receiving, storing, calling, selecting and recording text information to a recording medium.

There are additional deficiencies in Matsumoto. For example, controller 15 of Matsumoto (even if it is combined with buffer 62 of Yuen) does not appear to teach or suggest all the functions of the first system controller as recited in claims 1 and 4; key pad 65 of Matsumoto does not appear to be the same as the second key as recited in claims 1 and 4; it is not clear that "inherency" is sufficient to render obvious the third key of claim 1; and memory controller 35 of Matsumoto does not appear to teach or suggest all the functions of the second system controller as recited in claims 1 and 4. The same is true of the features of method claim 7.

Also, Matsumoto and Yuen do not teach or suggest a title input device and method for a recording medium that already contains a music signal recorded on the recording medium. The Official Action asserts that Matsumoto teaches a receiving tuner (FM tuner 1), a display 57, a first system controller 15 (also inherency) combined with buffer 62 of Yuen, a second key (key pad 65), a third key (inherency, column 5, lines 35-45), and a second system controller (memory controller 35). "Thus, the MD player and recorder 3 can record a music program corresponding to a desired artist

name to the mini disc 31" (column 5, lines 45-47). The Applicant respectfully disagrees and traverses the above referenced assertion in the Official Action.

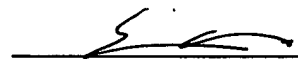
Matsumoto appears to be directed to a system for inputting "a desired music program title or a desired artist name" (column 5, lines 26-27), and having the MD recorder record the desired song or artist by comparing "the received text information with the pre-set text information" (column 5, lines 32-33). Nothing in Matsumoto teaches or suggests that title information is extracted and applied where music is already recorded to a recording medium.

Yuen, Tanosaki and Aida do not cure the above-referenced deficiencies in Matsumoto. Yuen is relied upon to allegedly teach a buffer (page 5, Paper No. 20050420), Tanosaki and Aida are relied upon to allegedly teach deletion of characters (page 6, Id.). However, Matsumoto, Yuen, Tanosaki and Aida, either alone or in combination, do not teach or suggest a device for receiving, selectively capturing (first key), selecting a target unit (second key) and calling and recording text information to a recording medium (third key), where music is already recorded on the recording medium.

Since Matsumoto, Yuen, Tanosaki and Aida do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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